

1. the business is owned by the company or group of companies; and

2. the cancellation of any contractual agreement does not result in the cancellation or refusal to renew any policies.

(2) If an insurer intends to cancel a written agreement with an [agent or broker] INSURANCE PRODUCER or intends to refuse a class of renewal business from an [agent or broker] INSURANCE PRODUCER, the insurer shall give the [agent or broker] INSURANCE PRODUCER at least 90 days written notice.

(3) Notwithstanding any provision of the agreement to the contrary, the insurer shall continue for at least 2 years after termination of the agency agreement to renew through the [agent or broker] INSURANCE PRODUCER any of the policies that have not been replaced with other insurers as expirations occur.

(c) An insurer may not cancel or refuse to renew a policy of the insured because of the termination of the [agent's or broker's] INSURANCE PRODUCER'S contract.

(d) Notwithstanding any other provision of this section, an insurer may not cancel or amend a written agreement with an [agent or broker] INSURANCE PRODUCER or refuse to accept business from the [agent or broker] INSURANCE PRODUCER if the cancellation, amendment, or refusal is arbitrary, capricious, unfair, or discriminatory or is based wholly or partly on the race, creed, color, sex, religion, national origin, or place of residency of the [agent or broker] INSURANCE PRODUCER or the applicants or policyholders of the [agent or broker] INSURANCE PRODUCER.

(e) If an insurer or [agent] INSURANCE PRODUCER that accepts [brokerage] business FROM AN INSURANCE PRODUCER ACTING ON BEHALF OF AN INSURED OR PROSPECTIVE INSURED rejects the business of [a broker] AN INSURANCE PRODUCER ACTING ON BEHALF OF AN INSURED OR PROSPECTIVE INSURED, the insurer or [agent] INSURANCE PRODUCER shall give to the Commissioner and the [broker] INSURANCE PRODUCER ACTING ON BEHALF OF AN INSURED OR PROSPECTIVE INSURED, on request of the [broker] THAT INSURANCE PRODUCER, the reasons for the rejection in writing.

(f) An insurer may not cancel or amend a written agreement with an [agent or broker] INSURANCE PRODUCER about property insurance or casualty insurance because of an adverse loss ratio experience on the [agent's or broker's] INSURANCE PRODUCER'S book of business if:

(1) the insurer required the [agent or broker] INSURANCE PRODUCER to submit the application for underwriting approval, all material information on the application was completed, and the [agent or broker] INSURANCE PRODUCER did not omit or alter any information provided by the applicant; or

(2) the insurer accepted, without prior approval, policies issued by the [agent or broker] INSURANCE PRODUCER, if all material information on the application for the policy or on the insurer's copy of any policy issued by the [agent or